

1 STATE OF NEW HAMPSHIRE

2 9TH CIRCUIT COURT - DISTRICT DIVISION - MANCHESTER

3
4 ASHLEY FOSTER,) District Division Case No.
5 Plaintiff,) 456-2023-CV-00445
6 vs.)
7 STEPHANIE KELLY,) Manchester, New Hampshire
8 Defendant.) May 17, 2024
) 1:03 p.m.
-----)
)

9 SHOW CAUSE HEARING

10 BEFORE THE HONORABLE KIMBERLY CHABOT

JUDGE OF THE CIRCUIT COURT - DISTRICT DIVISION

11 APPEARANCES:

12 Pro Se Plaintiff: Ashley Foster
(Confidential Address)

13 Pro Se Defendant: Stephanie Kelly
(Address Unknown)

14 Audio Operator: Electronically Recorded
Not Monitored

15 TRANSCRIPTION COMPANY: eScribers, LLC
7227 N. 16th Street, Suite 207
Phoenix, AZ 85020
(800) 257-0885
www.escribers.net

16
17 Proceedings recorded by electronic sound recording; transcript
18 produced by court-approved transcription service.

1 (Proceedings commence at 1:03 p.m.)

2 THE CLERK: May I have the parties here in the
3 Matter of Ashley Foster v. Stephanie Kelly? This is case
4 number 465-2023-CV-445. Beginning with the Plaintiff, if the
5 parties would please identify themselves for the record?

6 MS. FOSTER: Ashley Foster.

7 MS. KELLY: Stephanie Kelly.

8 THE COURT: Thank you very much. Okay. All right.
9 For the record, this is 456-2023-CV-445. The purpose of this
10 hearing is a Show Cause hearing. Largely, to address Ms.
11 Kelly with respect to payment of the judgment that was entered
12 by the Court. I recognize that you had explored and filed
13 appeals and whatnot, and my understanding is that the case has
14 been referred back to this Court for enforcement.

15 So I don't have a recent affidavit of assets and
16 liabilities from you.

17 MS. KELLY: I could fill one of those out today
18 if --

19 THE COURT: I'm sorry?

20 MS. KELLY: If possible, I could fill one out today.
21 I did submit one to the Court I think a couple months ago;
22 nothing has changed since then. I haven't been employed
23 because my mother was diagnosed with lymphomic (sic) leukemia
24 and I've been taken care of my mother and my father, who just
25 had a hip replacement surgery. So I currently do not have any

1 income whatsoever. I have my roommate here, who I pay 400
2 dollars a month to reside with them, which I basically have
3 been picking up cleaning jobs from a friend's cleaning company
4 just to pay for rent.

5 THE COURT: Okay. Well, I would ask that you submit
6 a sworn affidavit of assets and liabilities. And then the
7 Court will make a determination as to whether or not you have
8 an ability to pay and if so, what. And I also expect you to
9 include your prospects for employment. Okay?

10 All right. Ms. Foster, is there anything you wish
11 to add at this time?

12 MS. FOSTER: All I want to add is obviously, just
13 that I was a victim of Stephanie's stalking and abuse for
14 months. And these petitions were specifically for the purpose
15 of me suffering damages and losses. It was already given a
16 final date by the Court, as you know, and if she wanted to
17 appeal any of this she had the opportunity to do so.

18 THE COURT: Right.

19 MS. FOSTER: And that's all.

20 THE COURT: Okay. And the Court's task, when
21 enforcing a judgment, is to look and see whether or not the
22 person has the ability to pay. It has an obligation to issue
23 an order that it finds reasonable in order to achieve that
24 goal. And so that's the reason why I need to have that
25 information for Ms. Kelly and the Court will make a

1 determination as to what is reasonable under the
2 circumstances. I don't know the length of time that that may
3 take. That's all I can say.

4 MS. FOSTER: Um-hum.

5 THE COURT: Okay?

6 MS. FOSTER: Can I just briefly add -- I'm sorry. I
7 just wanted to say that I think through all of these court
8 procedures and petitions, she's proven that she's very capable
9 of getting a job and paying me. But that's all I want to add.

10 THE COURT: And the Court can consider that too.

11 Because in the event that a Court may find that Ms. Kelly is
12 voluntarily unemployed or underemployed, it could take that
13 into consideration as well. Okay?

14 MS. FOSTER: Okay. Thank you.

15 THE COURT: All right. Thank you.

16 (Proceedings concluded at 1:07 p.m.)

17

18

19

20

21

22

23

24

25



CERTIFICATE

I, Meredith Meyer, a court-approved proofreader, do hereby certify that the foregoing is a correct transcript from the official electronic sound recording of the proceedings in the above-entitled matter, to the best of my professional skills and abilities.

TRANSCRIPTIONIST(S): Susan Patterson, CDLT-174

Meredith
Meyer

MEREDITH MEYER
Proofreader


Digitally signed by Meredith
Meyer
Date: 2024.05.29 14:45:01
-05'00'

May 27, 2024